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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,  
9 Plaintiff,

10 vs.

11 Martel Alvarez-Chavez,  
12 Defendant.  
13

CR-92-00113-1-PHX-NVW

ORDER

14 Having considered the defendant's motion for compassionate release (doc. 423), the  
15 parties' related briefing (docs. 425, 432, and 437), the government's supplemental notice  
16 of non-opposition (doc. 440), and good cause appearing,

17 THE COURT FINDS the defendant has a chronic illness from which he is not  
18 expected to recover and the defendant's ability to provide self-care against serious injury  
19 or death as a result of COVID-19 is substantially diminished, within the environment of a  
20 correctional facility, by the chronic condition itself and therefore, the defendant's motion  
21 is GRANTED.

22 IT IS ORDERED, pursuant to 18 U.S.C. § 3582(c)(1)(A), that the defendant's  
23 sentence of life imprisonment for Count 1 is reduced to time served effective 14 days after  
24 the date of this order to allow for the quarantine period ordered below.

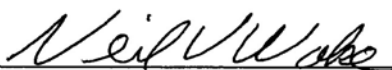
25 IT IS FURTHER ORDERED that before being released from the custody of the  
26 federal Bureau of Prisons ("BOP"), the defendant shall submit to a 14-day quarantine at  
27 Edgefield FCI. Before releasing the defendant from its custody, the BOP shall follow its  
28 standard protocols for releasing inmates, which includes a health screening and/or testing

1 for COVID-19. If the defendant is found to be exhibiting symptoms consistent with  
2 COVID-19 or is confirmed to have COVID-19, the defendant shall not be released to the  
3 public absent further order of the Court, although he may be released directly to the custody  
4 of immigration authorities for further detention and removal proceedings.

5 IT IS FURTHER ORDERED that, upon his release from BOP, the defendant shall  
6 begin serving a ten-year term of supervised release as specified in the March 8, 1993,  
7 judgment and commitment order. The terms of supervised release shall be the same as the  
8 terms of supervised release specified in the March 8, 1993 judgment and commitment  
9 order, except for the following changes and additional conditions:

- 10 a. The following General Order shall apply: General Order 17-18.
- 11 b. Upon release from BOP, it is anticipated that the defendant will be turned  
12 over to immigration authorities and removed to Mexico. If the defendant is  
13 allowed to remain in the United States, the defendant shall:
- 14 i. Report to the U.S. Probation Office in Phoenix, Arizona within 72  
15 hours of his release from custody;
- 16 ii. Promptly notify the Court that he has not been removed to Mexico  
17 as anticipated so that the Court may consider imposing additional  
18 conditions or supervised release including but not limited to a term  
19 of home incarceration or home confinement and a condition  
20 allowing for the search of his residence; and
- 21 iii. Comply with all national, state, and local public-health orders  
22 regarding COVID-19.

23 Dated this 15th day of July, 2020.

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25 \_\_\_\_\_  
26 Neil V. Wake  
27 Senior United States District Judge

28 cc: USMS, USPO, Dft.